

No. 118544-1

Office of State Engineer
DOCUMENT FILE

Dept. Agric. Forest Service

106 ewft

Sec. 3, T4K R1E

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 544-1Pennington CountySpearfish Pipe Line

Name of Project

Belle Fourche Water District

TO ALL WHOM IT MAY CONCERN:

This is to Certify, that the United States of America, Department of Agriculture, Forest Service, has complied with the State Laws and has been issued a withdrawal No. US 544 bearing date of May 25, 1940 withdrawing from further appropriation a maximum of .08 cubic feet per second of water to be diverted through the Spearfish Pipe Line ditch, canal or pipe line at a point located on the bank Little Spearfish Creek N. 78 45' W., 1403 feet distant from the SE Corner of Section 3, Township 4N Range 1E. for the purpose of domestic, livestock, fire protection and irrigation during the months of annually;

has fully complied with the provisions of the laws of the State of South Dakota relating to completion of the works as set out and described in Section 61.0137, that said works are completed in accordance with information filed in the office of the State Engineer, and a maximum amount of .08 cubic feet per second during the period of annually is thereby appropriated for the above purposes bearing date of priority of May 25, 19 40.

Witness my hand this 2nd day of December 19 40.

State Engineer

WITHDRAWAL NO. U.S. 544Water Division No. 1Belle Fourche Water District
RECEIVED
OCT 23 1940

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.Date October 9, 1940
By M. E. Von SeggernSpearfish Pipe Line
Project Name and Number
Little Spearfish Creek
Source of Appropriation
(Stream)

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated September 20, 1940, I have made a thorough examination of Spearfish Pipe Line reservoir, ditch, or pipe line constructed by the United States of America, Department of Agriculture, Forest Service, Region 2, Denver, Colorado, holder of withdrawal No. US 544 issued upon Notice of Intention bearing date May 22, 1940, authorizing the withdrawal from further appropriation of 0.06 acre feet, or .06 second feet of the waters of Little Spearfish Creek, tributary of Spearfish Creek for livestock, domestic, fire protection and irrigation purposes. I have to report on the condition of the same as follows:

The impounded and diversion works comprise:

Dam: Type Foundation
Size: Max. Length Maximum height to spillway flow line Freeboard
Section: Upstream slope
Downstream slope
Top width
Yardage (Approx.)
Reservoir: Area Normal Pool Level acres
Capacity acre feet
Nature of Shore line
Spillway: Type Location
Width Depth
Capacity cubic feet per sec.
Outlet: Size Control
Location
Ditches: Open Earth Open rock
Pipe Iron Length 1,058'
Section 2" dia. Capacity .06 c.f.p.s.
Location or as shown on plans

The system is in the following condition: Good

The outlet of the reservoir or the point of diversion of the ditch, canal or pipe line is located N. 78° 45' W., 1403
feet distant from the SE Corner of Section 3 Township 4 N.
Range. 1 E.

The works are capable of utilizing 100 acre-foot of water
annually or .08 second-foot of water.

The legal subdivisions to be irrigated are _____
comprising a total of _____ acres of land.

The domestic and stockwater uses comprise household purposes, water
for livestock, fire protection and irrigation.

The utilization for Public recreational, game and fish propagation and
fire protection comprises _____

The project was completed Before May 16, 1940

Witness my hand, this 9th day of October A.D. 1940.

W. E. O'Leary
Examining Engineer

LETTER OF AUTHORIZATION
for
Inspection

September 20, 1934

M. D. Von SoggenCuster, South DakotaSpearfish Pipe Line
Name of Project
Water Division No. 1
Belle Fourche Water District
Little Spearfish Creek
Source of Appropriation
(Stream)

Dear Sir:

The United States of America, Department of Agriculture, Forest Service, Denver, Colorado, having filed "Notice of Intention" to utilize certain specified waters of the State, and there having been issued a withdrawal from further appropriation as provided in Section 61.0137, 1939 Revised Code of South Dakota and identified as Withdrawal No. U.S. 644, on Little Spearfish (stream) County of Pennington on the Black Hills National Forest, has informed this office that the construction for the diversion, storage, appropriation and application of water to beneficial use has been fully completed and is ready for examination.

You are, therefore, hereby authorized to arrange with the holder of said withdrawal for an examination of the _____ reservoir, Spearfish Pipe Line ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service, on the Black Hills National Forest and also an inspection to determine the amount of water stored and applied to beneficial use.

In this examination you will ascertain whether or not the constructed works comply fully with the plans submitted and are capable of using quantities of water as set forth in the "Notice of Intention", and give in complete form all the information which is suggested by the statements in the Certificate of Inspection which is herewith enclosed, in the attached instructions, and such other information as will enable the State Engineer to act intelligently and judicially in the matter of determining the status of completion of the projects.

You should also arrange with the holder of the withdrawal for the payment of your fee for this service and such proper expenses as you incur in making this examination and report and taking the testimony.

Very truly yours,

State Engineer.

WITHDRAWALS No. US 544Spearfish Pipe Line

Name of Project

RECEIVED
AUG 24 1940OFFICE OF STATE ENGINEER
PIERRE, S. DAK.Water Division No. 1Bell Fourche Water District

NOTICE OF COMPLETION OF WORKS

P.O. Denver, Colorado,Date August 20, 1940.

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Spearfish Pipe Line reservoir, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service on the Black Hills National Forest. The project provides for the diversion and storage or direct diversion of quantities of water as shown on the plans and reports submitted and the project has been completed in accordance with the said plans and reports, terms and conditions of withdrawals heretofore issued by the State Engineer of the State of South Dakota or as shall be hereafter reported by the Examining Engineer.

1. The proper name of the Federal Agency holding said withdrawal is United States of America, Department of Agriculture, Forest Service.
2. The name and postoffice address of the proper corresponding official for said Federal Agency is Regional Forester, Denver, Colorado.
3. The project is located in SE 1/4 of Section, 3, Township 4 N, Range 1 E.
4. Said water to be used for livestock, domestic, fire protection, irrigation purposes.
5. The amount of water which said completed works are capable of impounding or conducting to the place of intended use is as shown by information previously submitted or as shall be hereafter reported by the Examining Engineer M. E. Von Seggern.
6. The amount of land for which said water is available is _____ acres, particularly described as follows: _____

I hereby certify that the facts set forth in the above notice are true.

Carl A. Gault
Carl A. Gault Acting
JAMES L. BROWNLEE
Assistant Regional Forester
Division of Engineering

DATE MICROFILMED

CAMERA OPERATOR

FORM A

CERTIFICATE OF WITHDRAWAL
of
WATER FOR APPROPRIATION
to the
UNITED STATES OF AMERICA
DEPARTMENT OF AGRICULTURE
FOREST SERVICE.

Withdrawal No. DS 544

Spearfish Pipe Line

Name of Project

Water Division No. 1

Belle Fourche Water District

Perrinton

Little Spearfish Creek

County

Source of Appropriation - Stream

The United States of America, Department of Agriculture, Forest Service, having filed "Notice of Intention" to utilize certain heretofore unappropriated public waters of the State of South Dakota, in accordance with the requirements of the statutes of the State of South Dakota, such statutes and authority being contained in Section 61.0137 1939 Revised Code of South Dakota, now therefore:

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of _____, the annual amount of _____ acre-foot of water to maintain storage in _____ reservoir created by damming said stream at a point _____

Foot distant from the _____ Corner of Section _____, Township _____ Range _____. The purpose of such storage is _____

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of Little Spearfish Creek a maximum of 0.06 cubic foot per second to be diverted through the Spearfish Pipe Line ditch, canal or pipe line at a point located on the _____ bank _____

N. 78 45' W., 1,403
Foot distant from the SE Corner of Section 3, Township 4N Range 1E for the purpose of livestock, domestic, fire protection, irrigation during the months of _____

This certificate and withdrawal shall in no manner prejudice, alter, amend or affect the rights of any prior appropriator or prior appropriation of water, nor of any application for appropriation pending on the date of this certificate, but the rights and privileges of any and all such prior appropriators or applicants for appropriation of water shall remain inviolate and intact, the same as if the within withdrawal had not been made.

This certificate shall be and is subject to cancellation in accordance with the provisions of the statutes hereinbefore referred to and under the authority of which this certificate is issued.

In accordance with the provisions of the statutes hereinbefore referred to, this certificate is executed at the State Capitol at Pierre, South Dakota, this 25th day of May 1940.

State Engineer

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Water Rights

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544
NOTICE OF INTENTION
to the
STATE ENGINEER
of the
STATE OF SOUTH DAKOTA

RECEIVED
MAY 22 1940
OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Spearfish Pipe Line Project
Black Hills Forest
South Dakota

Denver, Colorado.

May 22, 1940.
Date

Notice of Intention to divert, store and appropriate water for
beneficial uses from certain streams in South Dakota by the United States
of America, Department of Agriculture, Forest Service.

The United States of America, Department of Agriculture, Forest Service,
through its officers duly appointed to administer the National Forests in
South Dakota, hereby notifies the State Engineer of South Dakota of its
intentions to appropriate, by construction, diversion, storage and bene-
ficial use, the unappropriated public waters of South Dakota, under Section
61.0137 of the 1939 Revised Code of South Dakota. Application is hereby made
for the withdrawal of certain unappropriated public waters of the State of
South Dakota in an amount sufficient to maintain storage in _____

_____ Reservoir, or to satisfy the requirements of the
_____ Spearfish Pipe Line _____ ditch, canal or pipe line,
and the following information is furnished:

1. Representative of the United States of America authorized to act in
procurement of water rights.

Ans. Regional Forester, United States Department of Agriculture,
Forest Service, Region 2, Denver, Colorado.

2. Name of intending appropriator.

Ans. United States of America, Department of Agriculture, Forest
Service.

3. Name and address of agency representing intending appropriator.

Ans. United States Department of Agriculture, Forest Service, Region
2, Denver, Colorado.

4. Name of reservoir, ditch, canal or pipe line.

Ans. Spearfish Pipe Line

5. County in which water is to be diverted, stored and appropriated.

Ans. Pennington

6. Name of stream from which water is to be diverted, stored and
appropriated. Little Spearfish Creek. Tributary Spearfish Creek.

Ans.

7. The outlet of the reservoir or the point of diversion of ditch,
canal or pipe line is located N78° 45'W 1403 foot
distant from the SE Corner of Section 3 Township 4N
Range, 1E.

8. Uses to which water directly diverted or diverted and stored, is to be
put.

Ans. Livestock, domestic, fire protection, irrigation.

9. The available capacity of reservoir in acre foot.

Ans.

10. The carrying capacity of ditch, canal or pipe line in cubic feet per
second.

Ans. 0.06 c.f.p.s.

11. Acre feet of water to be appropriated annually for diversion and
storage in reservoir.

Ans.

12. Cubic feet of water per second to be appropriated for direct diversion
by ditch, canal, or pipeline.

Ans. 0.06 c.f.p.s.

13. Location of lands to be irrigated.

Ans.

14. Class of plans accompanying "Notice of Intention".

Ans. 2-inch iron pipe, 1058 feet long, grade 3 feet per hundred feet


Acting Regional Forester